IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

SATURDAY, THE 10TH FEBRUARY 2007 / 21ST MAGHA 1928

WP(C).No. 4662 of 2007(E)

PETITIONER:

THE NEW INDIA COIR MATS AND MATTINGS
CO-OPERATIVE SOCIETY LTD.NO.766, ALAPPUZHA,
REPRESENTED BY ITS PRESIDENT SRI. T.M.SANTHOSH,
S/O. MADHAVAN, AGED 36 YEARS, THATTASSERY HOUSE,
AVALOOKUNNU P.O., ALAPPUZHA-6.

BY ADV. SRI.DENIZEN KOMATH

RESPONDENTS:
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1. THE SUB INSPECTOR OF POLICE,
ALAPPUZHA NORTH POLICE STATION, ALAPPUZHA.

2. T.JOSEPH,
METHARUVELI VEEDU, KOTTAMKULANGARA WARD,
AVALOOKUNNU P.O., ALAPPUZHA.

3. K.R.MANIYAN,
KATTUNGAL HOUSE, KOTTAMKULANGARA WARD,
AVALOOKKUNNU P.O., ALAPPUZHA.

R1 BY G.P.SRI.P.A.SALIM
BY ADV. SRI.MATHEW KORAH
SRI.P.N.PURUSHOTHAMA KAIMAL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE PHOTOCOPY OF THE CERTIFICATE OF REGISTRATION.

EXT.P2: TRUE PHOTOCOPY OF THE SANCTION LETTER ISSUED FROM THE OFFICE OF INTEGRATED CO-OPERATIVE DEVELOPMENT PROJECT DATED 31.3.2004.

EXT.P3: TRUE PHOTOCOPY OF THE COMPLAINT PREFERRED BY THE PETITIONER SOCIETY BEFORE 1ST RESPONDENT DATED 31.1.2007.

// TRUE COPY //

TKS

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C)No.4662 OF 2007

Dated 19th February, 2007

JUDGMENT

Koshy,J.

This is a petition for police protection. It is the case of the petitioner that he is the President of the New India Coir Mats and Mattings Co-operative Society Ltd. and they want to construct a godown using the finance granted by the Integrated Co-operative Development Project, Alappuzha. But, due to obstructions by respondents 2, 3 and their supporters they are not able to do the construction work and hence they want police protection.

2. Counsel for the second respondent submitted that the petitioner is not a duly elected President of the Society. It is further submitted that even membership given to the petitioner by the administrator is irregular and he is trying to spend the loan granted. If membership given to the petitioner is not correct or he is not a duly elected President, it is for the respondents to approach the Joint Registrar as provided under the Co-operative Societies Act or take any other legal remedies. We are told that the loan will be sanctioned only if the Joint Registrar recommends after due verification and there is clear audit. Apart from the audit, there will be supervision by the Co-operative Department. So, without expressing any opinion regarding the merits of the

disputes raised by the contesting respondents, we direct the police to see that adequate protection is given for construction activities unless there is prohibitory orders issued by competent authorities.

The writ petition is disposed of accordingly.

J.B.KOSHY
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

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